

## **REMARKS**

### Summary of Office Action

Claims 1, 3-4, 8-9, 11-12, 16-17, 19-20, 24 and 28-36 are pending in the above-identified application.

Claims 8 and 24 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1, 9, 16-17, and 28-36 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Buxton et al. U.S. Patent Application Publication No. 2003/0204856 ("Buxton"). Claims 3-4, 8-9, 11-12, 19-20 and 24 have been rejected under 35 U.S.C. § 103(a) as being obvious from Buxton in view of Dovi U.S. Patent Application Publication No. 2002/0184451 ("Dovi").

### Summary of Reply

Claims 8 and 24 have been amended to correct their dependencies. The amendments add no new matter and are fully supported by the originally-filed application.

Applicants respectfully traverse the rejections to the extent maintained over the claims as amended.

### Interview Summary

Applicants would like to thank Examiners Marandi and Miller for the courtesies extended during the August 19, 2009 telephone interview with Gall Gotfried and the undersigned. During the interview, differences between applicants' pending claims and the cited references were discussed. The Examiners found our arguments persuasive and offered to prepare a Supplemental Action to replace the outstanding Office Action. The Examiners indicated that applicants need not respond to the outstanding Action and that a new Action would be issued with a new mailing date.

### Applicants' Reply

Claims 8 and 24 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for depending upon cancelled claims 6 and 22, respectively. Claim 8 has been amended to depend from independent claim 1, and claim 24 has been amended to depend from claim 17, in accordance with the treatment by the Examiner in the outstanding Action. Accordingly, applicants respectfully

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request that the rejection of claims 8 and 24 under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 1, 9, 16-17, and 28-36 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Buxton. Claims 3-4, 8-9, 11-12, 19-20 and 24 have been rejected under 35 U.S.C. § 103(a) as being obvious from Buxton in view of Dovi. As discussed during the telephonic interview, applicants respectfully submit that neither Buxton, nor Dovi, nor any combination of the two, shows or renders obvious all of the elements of applicants' claims. This is confirmed in the Interview Summary mailed August 27, 2009, in which Examiner Marandi stated:

Upon discussion, it is agreed that though Buxton discloses a network of set-top boxes, the act of requesting appears to be for viewing/streaming programs and not explicitly for storing them. Examiner agreed to issue a supplemental office action to that effect.

Therefore, the rejections of claims 1, 3-4, 8-9, 11-12, 16-17, 19-20, 24 and 28-36 over Buxton and Dovi should be withdrawn.

### Conclusion

In view of the foregoing, applicants respectfully submit that this application, as amended, is in condition for allowance. Reconsideration and prompt allowance are respectfully requested.

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Respectfully submitted,

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